

## **REMARKS**

This is a full and timely response to the non-final Office Action mailed January 12, 2006. Upon entry of the amendments in this response, claims 3 – 14 are pending. In particular, Applicants have amended claims 3 and 7 – 14, added claims 15 – 22, and canceled claims 1 – 2 without prejudice, waiver, or disclaimer. Reconsideration and allowance of the application and presently pending claims are respectfully requested.

### **I. Indication of Allowable Subject Matter**

Applicants appreciate the Examiner’s indication that claims 3 – 7 and 11 have been indicated as “allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.” Applicants further appreciate the Examiner’s indication that claims 8 – 10 would be “allowable if rewritten to overcome the rejections under 35 U.S.C. 112, 2<sup>nd</sup> paragraph and to include all of the limitations of the base claim and any intervening base claims.” Applicants further appreciates the Examiner’s indication that claims 3 – 10 and 11 contain allowable subject matter and that claims 13 – 14 are allowed.

Accordingly, Applicants have rewritten claim 3 in independent form, including all of the limitations of the base claim (previously-presented claim 1) and any intervening claims (previously-presented claim 2). Accordingly, for at least this reason, Applicants submit that independent claim 3 should be allowed. Further, claims 4 – 10 and 12, which depend from claim 3, are allowable for at least the same reason.

Applicants have also rewritten claim 11 in independent form, including all of the limitations of the base claim (previously-presented claim 1) and any intervening claims

(none). Accordingly, for at least this reason, Applicants submit that independent claim 11 should be allowed.

Allowed claims 13 and 14 remain in their present state, having been amended only to address various informalities, and thus are believed to remain allowed.

In that claims 1 – 2 have been cancelled and other various objections and rejections to any remaining claims are believed to be overcome (as set forth in the arguments below), Applicants submit that all previously pending claims 3 – 14 are now in condition for allowance.

## **II. Objections to the Specification**

The Office Action indicates that the disclosure is objected to because of various informalities. Applicants have amended the specification according to the suggestions provided in the Office Action through the amendments included herein. Accordingly Applicants submit that the objections to the specification should be withdrawn.

## **III. Objections to the Claims**

The Office Action alleges that claims 1, 2, 3 and 10 are objected to because of various informalities. Claims 1 – 2 have been cancelled. Accordingly, the objections to claims 1 – 2 are moot. Applicants have amended claims 3 and 10 according to the suggestions provided in the Office Action through the amendments included herein. Accordingly Applicants submit that the objections to claims 3 and 10 should be withdrawn.

The Office Action further indicates that the “claims are objected to because they include reference characters which are not enclosed within parentheses.” (Office Action, pg.

3). Applicants have carefully reviewed the pending claims and have not identified any reference characters that should be enclosed within parenthesis. For example, Applicants have provided a list of reference numerals on page 11 of the application as filed. However, none of these numbers, except to the extent used to refer to claim numbers, appear in the claims. Any other alleged reference characters do not appear to be used “in conjunction with the recitation of the same element or group of elements in the claims” (MPEP §608.01(m)) and thus are not believed to require parenthesis. Accordingly, for at least these reasons, Applicants submit that the objection to the claims should be withdrawn.

#### **IV. Claims 8 - 10 Comply with 35 U.S.C. §112, Second Paragraph**

The Office Action rejects claims 8 - 10 under 35 U.S.C. 112, second paragraph as being indefinite for failing to particularly point out and distinctly claim the subject matter which Applicant regards as the invention. Specifically, the Office Action alleges that the “term ‘about’ in claims 8 – 10 is a relative term which renders the claim indefinite.” (Office Action, pg. 4).

Applicants strongly disagree with the allegation that the term “about” renders claims 8 – 10 indefinite. (See MPEP 2173.05(b)). For example, Applicants submit that one of ordinary skill in the art would be reasonably apprised of the scope of the invention, even with the term “about” appearing in claims 8 – 10.

However, in an effort to expedite prosecution, Applicants have amended claims 8 – 10 to remove the term “about”. Accordingly, Applicants submit that the rejection of claims 8 – 10 as being allegedly indefinite under 35 U.S.C. 112, second paragraph should be withdrawn.

**V. The Rejection of Claims 1 - 2 as Allegedly Anticipated by *McLachlan* is Moot**

The Office Action rejects claims 1 - 2 under 35 U.S.C. §102(b) as allegedly being anticipated by U.S. Patent No. 2,218,762 to McLachlan (“*McLachlan*”). Claims 1 – 2 have been cancelled. Accordingly, Applicants submit that the rejection of claims 1 - 2 under 35 U.S.C. §102(b) is moot.

**VI. Claim 12 is Patentable Over *Borup*; The Rejection of Claim 1 as Allegedly Unpatentable Over *Borup* is Moot**

The Office Action rejects claims 1 and 12 under 35 U.S.C. §103(a) as allegedly being unpatentable over U.S. Patent No. 6,628,014 to Borup (“*Borup*”).

Claim 1 has been cancelled. Accordingly, Applicants submit that the rejection of claim 1 under 35 U.S.C. §103(a) is moot.

Furthermore, claim 12 has been amended to depend from independent claim 3, which is believed to be allowable. Specifically, claim 3 was previously indicated as allowable if rewritten in independent form to include all of the limitations of its base claim and intervening claims. In that claim 3 has been rewritten in independent form to include all of the limitations of its base claim and intervening claims, Applicants submit that claim 12 is patentable over *Borup* for at least the reason that it depends from allowable claim 3.

**VII. New Claims 15 – 22 are Patentable Over the Cited Art**

Applicants submit that newly added claims 15 – 22 are allowable over the cited art of record.

**VIII. Cited Art Made of Record**

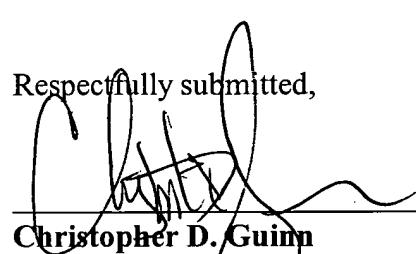
The cited art made of record has been considered, but is not believed to affect the patentability of the presently pending claims.

## CONCLUSION

The Applicant respectfully submits that all claims are now in condition for allowance, and requests that the Examiner pass this application to issuance. If, in the opinion of the Examiner, a telephonic conference would expedite the examination of this matter, the Examiner is invited to call the undersigned attorney at (770) 933-9500.

No fee is believed to be due in connection with this response. If, however, any fee is deemed to be payable, you are hereby authorized to charge any such fee to Deposit Account No. 20-0778.

Respectfully submitted,

  
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